

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 27 be amended to read as follows:

- 1 Page 1, line 6, after "title." begin a new paragraph and insert:
- 2 "(c)".
- 3 Page 1, line 6, reset in roman "The provisions of this title shall be
- 4 liberally".
- 5 Page 1, reset in roman line 7.
- 6 Page 1, line 8, delete "(c)" and insert "(d)".
- 7 Page 1, line 10, delete "(d)" and insert "(e)".
- 8 Page 1, line 10, after "title" insert "**allowing for an exception to the**
- 9 **three (3) tier system of alcohol beverage distribution in which the**
- 10 **exception allows for a direct transaction between a primary source**
- 11 **of supply and a consumer or between a primary source of supply**
- 12 **and a retailer or dealer".**
- 13 Page 1, line 12, delete "the affected chapter" and insert "**this title**".
- 14 Page 1, line 14, delete "commerce in alcoholic" and insert
- 15 "**exceptions to the three (3) tier system of alcoholic beverage**
- 16 **distribution; and**".
- 17 Page 1, delete line 15.
- 18 Page 18, between lines 13 and 14, begin a new paragraph and insert:
- 19 "SECTION 33. IC 7.1-3-21-3 IS AMENDED TO READ AS
- 20 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 3. (a) The commission
- 21 shall not issue
- 22 ~~(1) an alcoholic beverage retailer's or dealer's permit of any type;~~
- 23 ~~or~~
- 24 ~~(2) a wine wholesaler's or liquor wholesaler's permit~~
- 25 to a person who has not been a continuous and bona fide resident of

1 Indiana for five (5) years immediately preceding the date of the
2 application for a permit.

3 (b) The commission shall not issue a beer wholesaler's permit to a
4 person who has not been a continuous and bona fide resident of Indiana
5 for one (1) year.

6 SECTION 34. IC 7.1-3-21-4 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4. The commission
8 shall not issue an alcoholic beverage wholesaler's ~~retailer's, or dealer's~~
9 permit of any type to a partnership unless each member of the
10 partnership possesses the same qualifications as those required of an
11 individual applicant for that particular type of permit.

12 SECTION 35. IC 7.1-3-21-5 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 5. (a) The commission
14 shall not issue

15 ~~(1) an alcoholic beverage retailer's or dealer's permit of any type;~~
16 ~~or~~

17 ~~(2) a wine wholesaler's or liquor wholesaler's permit~~
18 to a corporation unless sixty percent (60%) of the outstanding common
19 stock is owned by persons who have been continuous and bona fide
20 residents of Indiana for five (5) years.

21 (b) The commission shall not issue a beer wholesaler's permit to a
22 corporation unless at least sixty percent (60%) of the outstanding
23 common stock is owned by persons who have been continuous and
24 bona fide residents of Indiana for one (1) year.

25 (c) The commission shall not issue a liquor wholesaler's permit to a
26 corporation unless at least one (1) of the stockholders shall have been
27 a resident, for at least one (1) year immediately prior to making
28 application for the permit, of the county in which the licensed premises
29 are to be situated.

30 (d) Each officer and stockholder of a corporation shall possess all
31 other qualifications required of an individual applicant for that
32 particular type of permit.

33 SECTION 36. IC 7.1-3-21-5.2 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 5.2. (a) The
35 commission shall not issue

36 ~~(1) an alcoholic beverage retailer's or dealer's permit of any type;~~
37 ~~or~~

38 ~~(2) a wine wholesaler's or liquor wholesaler's permit~~
39 to a limited partnership unless at least sixty percent (60%) of the
40 partnership interest is owned by persons who have been continuous and
41 bona fide residents of Indiana for five (5) years.

42 (b) The commission shall not issue a beer wholesaler's permit to a
43 limited partnership unless at least sixty percent (60%) of the partnership
44 interest is owned by persons who have been continuous and bona fide
45 residents of Indiana for one (1) year.

46 (c) The commission shall not issue a liquor wholesaler's permit to a
47 limited partnership unless for at least one (1) year immediately before

1 making application for the permit, at least one (1) of the persons having
 2 a partnership interest has been a resident of the county in which the
 3 licensed premises are to be situated.

4 (d) Each general partner and limited partner of a limited partnership
 5 must possess all other qualifications required of an individual applicant
 6 for that particular type of permit.

7 SECTION 37. IC 7.1-3-21-5.4 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 5.4. (a) The
 9 commission shall not issue

10 ~~(1) an alcoholic beverage retailer's or dealer's permit of any type;~~

11 ~~or~~

12 ~~(2) a wine wholesaler's or liquor wholesaler's permit~~

13 to a limited liability company unless at least sixty percent (60%) of the
 14 membership interest is owned by persons who have been continuous
 15 and bona fide residents of Indiana for five (5) years.

16 (b) The commission shall not issue a beer wholesaler's permit to a
 17 limited liability company unless at least sixty percent (60%) of the
 18 membership interest is owned by persons who have been continuous
 19 and bona fide residents of Indiana for one (1) year.

20 (c) The commission shall not issue a liquor wholesaler's permit to a
 21 limited liability company unless for at least one (1) year immediately
 22 before making application for the permit, at least one (1) of the persons
 23 having a membership interest has been a resident of the county in which
 24 the licensed premises are to be situated.

25 (d) Each manager and member of a limited liability company must
 26 possess all other qualifications required of an individual applicant for
 27 that particular type of permit."

28 Page 20, line 14, delete "It" and insert "**Except as provided in**
 29 **subsection (c), it**".

30 Page 20, line 19, delete "It" and insert "**Except as provided in**
 31 **subsection (c), it**".

32 Page 20, between lines 24 and 25, begin a new paragraph and insert:

33 "**(c) A purchaser of alcoholic beverages may ring up or**
 34 **otherwise record an alcoholic beverage sale by using a self-scanner**
 35 **in a:**

36 **(1) package liquor store;**

37 **(2) drug store; or**

38 **(3) grocery store;**

39 **if a sales clerk checks the identification of the purchaser to ensure**
 40 **the purchaser is at least twenty-one (21) years of age."**

41 Page 21, line 5, delete "IC 7.1-3-21-3; IC 7.1-3-21-4;".

42 Page 21, line 6, delete "IC 7.1-3-21-5; IC 7.1-3-21-5.2;
 43 IC 7.1-3-21-5.4;".

44 Renumber all SECTIONS consecutively.

(Reference is to ESB 27 as printed February 24, 2006.)

Representative Whetstone